

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 16524.010

First Inventor Wayne GODFREY

Title Receptor on the Surface of Activated T-Cells (ACT-4)

Express Mail Label No.

JC978 U.S. PTO  
09/09/2001  
05/11/01

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 60]  
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross References to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table, or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 9 ]

5. Oath or Declaration [Total Pages 2 ]

a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)  
i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a.  Computer Readable Form (CRF)

b. Specification Sequence Listing on:  
i.  CD-ROM or CD-R (2 copies); or  
ii.  paper

c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9.  Assignment Papers (cover sheet & document(s))

10.  37 C.F.R. §3.73(b) Statement  Power of Attorney (when there is an assignee)

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)

16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17.  Other: Copies of Notice of Recordation of Assignment Document

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation  Divisional  Continuation-in-part (CIP)

of prior application No: 08 / 472,940

Prior application information: Examiner P. Nolan

Group / Art Unit: 1644

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label28381  
(Insert Customer No. or Attach bar code label here)or  Correspondence address below

Name	David R. Marsh Arnold & Porter				
Address	555 Twelfth Street, N.W.				
City	Washington	State	DC	Zip Code	20004-1206
Country	US	Telephone	(202) 942-5000		Fax (202) 942-5999

Name (Print/Type) David R. Marsh/June E. Cohan Registration No. (Attorney/Agent) 41,408/43,741

Signature

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2001

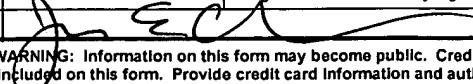
Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 1342)

Complete if Known	
Application Number	To Be Assigned
Filing Date	May 11, 2001
First Named Inventor	Wayne GODFREY
Examiner Name	To Be Assigned
Group / Art Unit	To Be Assigned
Attorney Docket No.	16524.010

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																														
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number 50-1824 Deposit Account Name Arnold & Porter <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr> <td colspan="4">Other fee (specify) _____</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$ 0)</td> </tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	139	130	139	130	Non-English specification	147	2,520	147	2,520	For filing a request for reexamination	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	115	110	215	55	Extension for reply within first month	116	390	216	195	Extension for reply within second month	117	890	217	445	Extension for reply within third month	118	1,390	218	695	Extension for reply within fourth month	128	1,890	228	945	Extension for reply within fifth month	119	310	219	155	Notice of Appeal	120	310	220	155	Filing a brief in support of an appeal	121	270	221	135	Request for oral hearing	138	1,510	138	1,510	Petition to institute a public use proceeding	140	110	240	55	Petition to revive - unavoidable	141	1,240	241	620	Petition to revive - unintentional	142	1,240	242	620	Utility issue fee (or reissue)	143	440	243	220	Design issue fee	144	600	244	300	Plant issue fee	122	130	122	130	Petitions to the Commissioner	123	130	123	130	Petitions related to provisional applications	126	180	126	180	Submission of Information Disclosure Stmt	581	40	581	40	Recording each patent assignment per property (times number of properties)	146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	179	710	279	355	Request for Continued Examination (RCE)	169	900	169	900	Request for expedited examination of a design application	Other fee (specify) _____				*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 0)	
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																														
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																														
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																														
139	130	139	130	Non-English specification																																																																																																																																																														
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																														
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																														
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																														
115	110	215	55	Extension for reply within first month																																																																																																																																																														
116	390	216	195	Extension for reply within second month																																																																																																																																																														
117	890	217	445	Extension for reply within third month																																																																																																																																																														
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																														
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																														
119	310	219	155	Notice of Appeal																																																																																																																																																														
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																														
121	270	221	135	Request for oral hearing																																																																																																																																																														
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																														
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																														
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																														
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																														
143	440	243	220	Design issue fee																																																																																																																																																														
144	600	244	300	Plant issue fee																																																																																																																																																														
122	130	122	130	Petitions to the Commissioner																																																																																																																																																														
123	130	123	130	Petitions related to provisional applications																																																																																																																																																														
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																														
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																														
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																														
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																														
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																														
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																														
Other fee (specify) _____																																																																																																																																																																		
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 0)																																																																																																																																																														
2. PAYMENT ENCLOSED: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other																																																																																																																																																																		
FEE CALCULATION																																																																																																																																																																		
1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>710</td><td>201</td><td>355</td></tr> <tr><td>106</td><td>320</td><td>206</td><td>160</td></tr> <tr><td>107</td><td>490</td><td>207</td><td>245</td></tr> <tr><td>108</td><td>710</td><td>208</td><td>355</td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td></tr> <tr> <td colspan="4">SUBTOTAL (1) (\$ 710)</td> </tr> </tbody> </table>								Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	101	710	201	355	106	320	206	160	107	490	207	245	108	710	208	355	114	150	214	75	SUBTOTAL (1) (\$ 710)																																																																																																																																		
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid																																																																																																																																																															
101	710	201	355																																																																																																																																																															
106	320	206	160																																																																																																																																																															
107	490	207	245																																																																																																																																																															
108	710	208	355																																																																																																																																																															
114	150	214	75																																																																																																																																																															
SUBTOTAL (1) (\$ 710)																																																																																																																																																																		
2. EXTRA CLAIM FEES <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Independent Claims</th> <th>Multiple Dependent</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>24</td><td>10</td><td></td><td>4</td><td>18</td><td>72</td></tr> <tr><td></td><td></td><td></td><td>7</td><td>80</td><td>560</td></tr> <tr> <td colspan="4"></td> <td>X</td> <td>0</td> </tr> <tr> <td colspan="4"></td> <td></td> <td></td> </tr> </tbody> </table>								Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid	24	10		4	18	72				7	80	560					X	0																																																																																																																																			
Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid																																																																																																																																																													
24	10		4	18	72																																																																																																																																																													
			7	80	560																																																																																																																																																													
				X	0																																																																																																																																																													
3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> <tr> <td colspan="4">SUBTOTAL (2) (\$ 632)</td> <td></td> </tr> </tbody> </table>								Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim, if not paid	109	80	209	40	** Reissue independent claims over original patent	110	18	210	9	** Reissue claims in excess of 20 and over original patent	SUBTOTAL (2) (\$ 632)																																																																																																																												
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																														
103	18	203	9	Claims in excess of 20																																																																																																																																																														
102	80	202	40	Independent claims in excess of 3																																																																																																																																																														
104	270	204	135	Multiple dependent claim, if not paid																																																																																																																																																														
109	80	209	40	** Reissue independent claims over original patent																																																																																																																																																														
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																														
SUBTOTAL (2) (\$ 632)																																																																																																																																																																		

\*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	David R. Marsh/June E. Cahan	Registration No. Attorney/Agent)	41,408/43,741	Telephone	(202) 942-5000		
Signature				Date	May 11, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

---

# ARNOLD & PORTER

---

June E. Cohan  
June\_Cohan@aporter.com

202.942.5071  
202.942.5999 Fax

555 Twelfth Street, NW  
Washington, DC 20004-1206

May 11, 2001

***Box Patent Application***

Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Continuation Application based on U.S. Serial  
No. 08/472,940 filed June 6, 1995  
Application No.: To Be Assigned  
Filed: May 11, 2001  
For: Receptor on the Surface of Activated  
T-Cells (ACT-4)  
Inventors: Wayne GODFREY *et al.*  
Atty. Docket: 16524.010

---

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. Form PTO/SB/17 (fee transmittal) (in duplicate);
3. U.S. Continuation Application entitled:

**Receptor on the Surface of Activated T-Cells (ACT-4)**

and naming as inventors:

**Wayne GODFREY, Edgar G. ENGLEMAN, and David BUCK**

the application consisting of:

- a. A specification containing:
  - (i) 52 pages of a description prior to the claims;
  - (ii) 7 pages of claims (58 claims);
  - (iii) a one (1) page abstract; and

(iv) 4 pages of a sequence listing; and

b. 9 sheets of drawings (Figures 1-9);

4. Computer-readable copy of sequence listing;

5. Statement Regarding Sequence Submission;

6. Preliminary Amendment;

7. Copy of Declaration filed in parent application serial number 08/147,784, executed by Wayne Godfrey and Edgar G. Engleman;

8. Copy of Declaration filed in parent application serial number 08/147,784, executed by David Buck;

9. Copy of Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record filed in parent application serial number 08/472,940;

10. Copy of Certificate under 37 C.F.R. § 3.73(b) filed in parent application serial number 08/472,940, executed by The Board of Trustees of Leland Stanford Junior University;

11. Copy of Notice of Recordation of Assignment Document received in parent application serial number 08/147,784, from assignors Wayne Godfrey and Edgar Engleman;

12. Copy of Certificate under 37 C.F.R. § 3.73(b) filed in parent application serial number 08/472,940, executed by Becton Dickinson and Company;

13. Copy of Notice of Recordation of Assignment Document received in parent application serial number 08/147,784, from assignor David Buck;

14. Our Check No. 127878 in the amount of \$ 1342.00 to cover the basic filing fee and extra claims fee; and

15. Two (2) return postcards.

This application is a continuation of co-pending U.S. Application No. 08/472,940 filed June 6, 1995, which is a divisional of U.S. Patent Application No. 08/147,784, filed November 3, 1993, now U.S. Patent No. 5,821,332.

O S S E S S I O N • G E N E R A L

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above-identified application are the same.

Authorization is hereby given to charge any fee deficiencies or credit any overpayment to counsel's Deposit Account No. 50-1824. A duplicate copy of this letter is attached for this purpose.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

Respectfully submitted,

  
David R. Marsh (Reg. No. 41,408)  
June E. Cohan (Reg. No. 43,741)

## Enclosures

卷之三